

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 61920

Guven Yilmaz
1101 Charlesview Way
Towson, MD 21204

1000 Kenilworth Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on July 21, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 1B01.1D, failure to remove open dump/junk yard conditions; Baltimore County Code (BCC) section 13-7-310, failure to remove all trash & debris; section 13-7-401, 402, 403, failure to cut and maintain all tall grass and weeds on residential property known as 1000 Kenilworth Drive, 21204.

On June 11, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Latoshia Rumsey-Scott issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Mr. Guven Yilmaz, Respondent and Latoshia Rumsey-Scott, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 1, 2009 for removal of junk, trash and debris, and to cut tall grass and weeds. This Citation was issued on June 11, 2009.

B. Photographs in the file show junk, trash and debris in the yard of this rental property. The property owner has a County Rental Housing License. The property has been the subject of numerous code enforcement actions in recent years.

C. Respondent Guven Yilmaz testified that the property has been cleaned up and that he will monitor the property's condition. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if re-inspection finds the property in compliance.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if re-inspection finds the property in compliance with code requirements, with no junk, trash or debris in the yard. If the Respondent has failed to correct the violations, the civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 28th day of July 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.

MZF/jaf